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AN ANSWER

TO

Sir PETER LEICESTER'S

Addenda,

OR,

Some things to be Added in his

ANSWER to

Sr THOMAS MAINWARINGS

BOOK.

BODLEIANA RIBLIOTHECA

WRITTEN

By the said Sir Thomas Mainwaring

LONDON,

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ANSWER

TO

Addenda,

OR

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BOOK.

TO

Sir *Peter Leiceſter* Baronet.

SIR;

Received your *Addenda* to the *Anſwer* to my former Book, on Monday the 12th of *January* laſt; in writing of which, whether you are juſt to your word, or not, let the whole World Judge.

As for that which you ſay in the firſt *Page* thereof, I think it was not worth your adding to what you had formerly written, unleſs you could make it to appear that thoſe perſons whom you call judicious men, be ſuch whoſe opinions are like to be of equal weight with thoſe Judges and Heralds who are againſt you, which (I believe) will be very hard for you to do: And if you

could, we ſhould therein be but upon equal termes.

When you tell me in your 2 *Page*, that you do give me two or three precedents more, beſides that of *Geva*, to prove that Lands in thoſe elder ages did paſs *in libero maritagio*, I cannot but ſmile, to ſee that you ſtill ſay, that the gift to *Geva* was ſuch a Precedent, conſidering how in my *Defence* of *Amicia*, *Page* 43, 44. and ſo on to the middle of the 50 *Page*, as alſo, in my *Reply* to your *Anſwer*, p. 23. and p. 45, 46. and ſo on to the 60. *Page*, I have made it to appear, that it is very uncertain that the ſaid *Geva* was a Baſtard, but moſt certain that the Gift to *Geva* was not a Gift in *Frank-marriage*.

And now I ſhall come to your pretended new precedents, which you mention *Page* 2. and ſo on to the end of the 6 *Page* of your *Addenda*, and in my Anſwer thereto, I ſhall make it very clear that they are not ſuch precedents as you take them to be, but are groſs miſtakes of yours, you erring in no leſs then theſe five particulars following. Firſt, in conceiving that *Joane* wife of the ſaid *Lhewellin*, and daughter to King

John,

John, was that baſe daughter named *Joane*, which King *John* had by *Agatha* daughter to the ſecond *William* de *Ferrars* Earl of *Derby*; Secondly, in ſaying that the ſaid *Lhewellin* did marry *Joane* daughter of King *John* in the year 1206. Thirdly, in alledging that King *John* gave *Elleſmere in libero maritagio* with his ſaid daughter *Joane*. Fourthly, in pretending that the Mannor of *Budeford* in *Warwickſhire*, and the Mannor of *Suttehall* in *Worceſterſhire* were given by King *John* to the ſaid *Lhewellin* with any daughter of the ſaid King *John*. And laſtly, in ſaying that that *Joane* who was wife to *Robert* de *Andeley*, was the ſame *Joane* who was wife to the ſaid *Lhewellin*.

And firſt, you erre in ſaying that *Joane* who was the wife of the ſaid *Lhewellin*, was the ſame *Joane* which King *John* had by the ſaid *Agatha*; For as you may ſee in your *Hiſtorical Antiquities*, *p.* 132. compared with *Vincent*, *p.* 204. (which is the place you bring for proof of what you ſay) the ſaid *Agatha* was daughter to *William Ferrars* Earl of *Derby*, by his wife *Agnes* the third ſiſter and coheir of *Randle Blundevil* Earl of

Cheſter and *Lincolne*, which *Agnes* was daughter of *Hugh Cyveliok* Earl of *Cheſter* by his wife *Bertred*. Now the ſaid *Hugh Cyveliok* dying as appears in your *Hiſt. Ant. p.*134. in the year 1181. and the ſaid *Bertred* his wife (as is proved *Rot. de Dominabus pueris*, &c. *in Scacc. penes Remem. R. ſub Tit. Linc. Rot.* 1.) being but Twenty four years of age when her ſaid husband dyed, it will from thence appear, that *Joane* daughter of the ſaid *Agatha* could not poſſibly be the wife of the ſaid *Lhewellin*; For, if we ſuppoſe that *Randle Blundevil* was younger then his third ſiſter *Agnes* (which I am confident you do not believe) and that the ſaid *Bertred* was begotten with Child at thirteen yeares of age, and came ſo nimbly with her children as to have her firſt daughter when ſhe was fourteen years old, her ſecond daughter when ſhe was fifteen years old, and her third daughter *Agnes* when ſhe the ſaid *Bertred* was ſixteen years old, then the ſaid *Agnes* would be eight years of age in the ſaid year 1181. If we alſo ſuppoſe the ſaid *Agatha* to be the eldeſt of the ſix children of the ſaid *William Ferrars* and *Agnes*, (though ſhe might

might be the youngeſt) and that ſhe the ſaid *Agnes* had the ſaid *Agatha* when ſhe the ſaid *Agnes* was but fourteen years old, then ſhe the ſaid *Agatha* would be born in the year 1187. If we alſo ſuppoſe that the ſaid *Agatha* had her daughter *Joane* when ſhe the ſaid *Agatha* was but fourteen years old, then the ſaid *Joane* would be born in the year 1021, and yet by all this ſtrange way of reckoning, *Joane* the daughter of *Agatha* would have been but about three years of age, when the ſaid *Llewellin* was married, which (as anon will appear) was in the year 1204. So that this *Joane* daughter of *Agatha* was ſo far from being wife to the ſaid *Llewellin*, that there is no likelihood that ſhe was born at the time of the ſaid *Llewellins* marriage. But the ſaid *Llewellin* was 28 years of age in the year 1204, For, *Sylveſter Giraldus Cambrenſis* in his *Iiner. Cambr.* printed at *London* 1585. *p.* 64. and 203. tells us, that in the year 1188, (at which time the ſaid *Silveſter* was living) the ſaid *Llewellin* was 12 years old.

Secondly, you run in to another erro in alledging that the ſaid *Llewellin*

did marry his wife *Joan* in the year 1206. whereas he was her Husband in the year 1204. in the 6 year of King *John*, as will appear by your own Authors, *Stow* and *Speed*, and by ſeveral others; as alſo by this Copy of King *John*'s Precept to the Sheriff of *Shropſhire*, to make Livery of the ſaid Lordſhip of *Elleſmere*.

Ex Rot: Clauſo de anno Sexto Regis Johannis (*in arce* Lond.) *membrana* 7.

Rex Vicecom. Salop. Salutem. Scias quod dedimus dilecto filio noſtro Lewellino *manerium de* Ellesmere, *cum omnibus pertinentiis ſuis, in maritagio filiæ noſtræ, Et ideo, &c. Teſte, &c, apud Wigorn: 23. Martii.*

Thirdly, You are guilty of a third error, in pretending that King *John* did give the Lordſhip of *Elleſmere*, *in libero maritagio* with his Daughter *Joan*; for your own Authors, as well as the aforeſaid Record, do only ſay, that it was given *in Maritagio*; ſo that your arguing that *Elleſmere* was given *in maritagio*, and therefore was given *in libero* mari-

maritagio, is very irrational; For I have ſhewed in the 39 and 40 pages of my *Reply* to your *Anſwer*, that *maritagium* is twofold, and that Lands may be given *in maritagio*, to one that is not of the Blood, but (as I have often proved) Lands cannot be given *in free-marriage*, but with one that is of the whole Blood, neither can they be ſo given, unleſs the word *liberum* be uſed as well as the word *maritagium*, as I have ſhewed in the 56 and 57 pages of my ſaid *Reply*.

But if it were ſo, that you could have proved *Joan*, the wife of the ſaid *Lhewellin*, to have been the baſe Daughter of King *John* by the ſaid *Agatha*: and if it had been ſo, that this gift of *Elleſmere* had been *in libero maritagio*, yet it would have ſtood you in no ſtead; for as you may ſee *Coke* upon *Littleton*, *fol.* 21. *b. if the Donee* (in a Gift of Frank-marriage) *that is cauſe of the gift be not of the blood of the Donor*, yet there may paſs an Eſtate for life, if Livery be made; And in this caſe of *Elleſmere* (as appears before) Livery was made; And you may find in the *Welſh Hiſtory*,

put

put out by Doctor *Powell*, p. 306. and *Mat. Par.* p. 625, and 626. that though *Elleſmere* was injoyed by the ſaid *Lhewellin*, yet it was not long enjoyed by his Son *David*, but was the next year after the death of *Lhewellin* in (or about) the Feaſt of the Decollation of *St. John Baptiſt*, in the hands of King *Henry* the III. and as appears by good Record, the cuſtody thereof, together with the Hundred of *Elleſmere*, was afterwards committed by the ſame King to the Truſt of *Hamon le Strange*.

Fourthly you are alſo miſtaken in thinking that the Mannors of *Budeford* and *Suttehall*, were given by King *John* to *Lhewellin* with his Daughter *Joan*, and for all your boaſting demand of what can be clearer? yet your Deed is far from proving what you ſuppoſe it doth; For it neither ſays that King *John* gave thoſe Mannors *cum filia ſua baſtarda*, or that he gave them *cum filia ſua*.

And whereas you ſay in the fourth page of your *Addenda*, that *the ſaid Prince* Lhewellin *never married any*

Daughter

Daughter of King John *but the ſaid* Joan, I ſhall thus far agree with you, That he married a Daughter of King *John*'s, named *Joan*; and but one Daughter of his, but not that *Joan* which you ſuppoſe. But certainly your conceit that *Lhewellin* could not have a former Wife, unleſs ſhe was another Daughter of the ſaid K. *John*, is a very wild one; For, King *John* might give thoſe Manors to *Lhewellin* with any Woman that was of his kindred; and it is very apparent that our Engliſh Kings about that time were very deſirous to have Alliance with the Princes of *North-Wales*; For, beſides that Match of *Lhewellin* with the Daughter of King *John*, and this Match of *John Scot* with *Hellen*, Daughter of the ſaid *Lhewellin*, *David ap Owen* (Uncle to the ſaid *Lhewellin*) did marry a Siſter of King *Henry* the III. as you may ſee in *Sylveſter Giraldus*. p. 203. and the *Welſh Hiſtory*, p. 255. And King *Edward* the I. alſo cauſed *Lhewellin ap Griffith Lhewellin*, to marry a Daughter of *Simon de Mountford*, Earl of *Leiceſter*, which Daughter the ſaid Earl had by a Daughter of King *John*, and this, although the ſaid *Lhewellin, ap*

Griffith

Griffith Lhewellin would have married elsewhere, as you may read in *Knighton col.* 2462. *num.* 26, and *num.* 50. And although we cannot tell the name of her who was the first wife of that *Lhewellin*, who married *Joan* the Daughter of King *John* as aforesaid, we being ignorant of that, as we also are of the Wives of many great persons, and of many other things in those elder ages, yet the said *Lhewellin* must necessarily have a former Wife, as will appear by these following Reasons.

First, because most Writers, as *Fabian* in the 7 Part of his *Chronicle*, p. 13. a. *Stow*, p. 167. a. Doctor *Powell* in his Notes on the *Welsh History*, p, 259. *York*, p. 20. *Speed* in his *History* printed at *London*, 1632. p. 573. *Vincent* on *Brooke*, p. 204. *Cambden* in his *Britania*, in Latine, Printed at *London*, 1607. p. 453. and *Knighton*, col, 2417. num. 42. do all tell us of Lands given by the said King *John* to the said *Lhewellin*, with his Daughter *Joan*, and yet none of them do say, that these Mannors of *Budeford* and *Suttehall*, or either of them were given with the said *Joan*.

Secondly,

Secondly, Becauſe our beſt Authors, who tell us what Children the ſaid *Lhewellin* had by the ſaid *Joane*, do only name one ſon, viz. *David*, and two daughters, viz. *Marret* married to *John* de *Bruſe*, and *Gladys* married to Sir *Raph Mortimer*, but none of them doth name *Hellen*, ſo that it ſeems *Hellen* was no daughter of his by the ſaid *Joane*.

Thirdly, Becauſe (as before appears) the ſaid *Lhewellin* married the ſaid *Joane* in the year 1204. Now *Randle* Earl of *Cheſter* coming to the City *Damiata* in the beginning of the year 1218. as you may ſee in *Matt. Paris*, *p.* 303. *n.* 24. & 309. *n.* 16. compared together, and this Match of *John Scot* and the ſaid *Hellen* as you may find in *Knighton*, *col.* 2430. *n.* 9. being agreed on by *Randle* Earl of *Cheſter* and the ſaid *Lhewellin* before the ſaid *Randle* went thither (and by conſequence about the year 1217.) What likelihood is there that the ſaid *Joane* could have any daughter old enough to be married to the ſaid *John Scot*, it being impoſſible that *Lhewellin* could at that time have any Child by King *John*'s daughter, who could be above

above the age of twelve years; And though you pretend that *John Scot* did marry the said *Hellen* about the year 1222, yet you do that, because she could not well be marriageable till about that time if her Mother had been married in that year, which you falsly supposed she was. But there is no likelihood that *Randle Blundevil* would go to the *Holy Land* after the said marriage was agreed on, before it was Consummated, and that he had thereby some assurance that the said *Lhewellin* would keep that peace which was then made: But, *Lhewellen* might very well have a daughter by a former wife, who in the year 1217. might be old enough to be married to *John Scot*, for the said *Lhewellin* (as appears by the proofes before) was then aged 41 years; And it is like that *John Scot* was then of a good age, for, if his Grandmother *Bertred* had his Mother *Maude* when she the said *Bertred* was 18 years of age, and if his Mother *Maude* had him the said *John Scot* when she was also 18 years of age, yet *John Scot* would be born in the year 1193, and would be 24 years old in the year 1217.

Fourthly,

Fourthly, (which doth abſolutely clear the point) the ſaid *Lhewellin* could not poſſibly have given the Manors aforeſaid *in free marriage* with his daughter *Hellen* unto the ſaid *John Scot*, unleſs they had been given to the ſaid *Lhewellin* with a former wife, and that the ſaid *Hellen* was the heir unto his former wife; For when lands are given *in free marriage*, the husband hath not the inheritance of the ſaid lands, neither hath he ſo much as an eſtate for life, until he be Tenant by the Curteſie of *England*; And you cannot pretend (according to your old ſubterfuge) that the Law in this point was differently holden in thoſe elder times from what it is now; For, as you may ſee in my Lord *Coke* on *Littleton*, *fol.* 22. *a.* the husband in the time of King *Edward* the Third, was ſo far from having the inheritance of Lands given to him in Frankmarriage, that if he and his wife were divorced, the woman ſhould enjoy the whole land; And for this he cites in the Margent 13 *Edw.* 3. *tit. Aſſ.* 19 *Edw.* 3. *Aſſ.* 83. with ſeveral other proofes of the like nature; Alſo in the time

time of King *Edw.* 1. as you may ſee in the Antient Treatiſe called *Fleta*, the inheritance in theſe caſes was in the wife, and not in the husband: For in the 3 Book and 11th Chapter, *de donationibus in maritagiis* it is thus ſaid, *Et quamvis fiat mentio in donatione, quod terra data ſit in maritagium tali viro, cum tali uxore, res data tamen eſt liberum tenementum uxoris, & non viri, cum non habeat niſi cuſtodiam cum uxore, donec liberum tenementum ſibi accreſcat, per legem Angliæ: Secus ſi pro homagio & ſervitio viri & in Maritagium facta fuerit donatio.* And ſo alſo *Bracton* (who lived in the time of King *Henry* the Third, and alſo in the time of the ſaid *Lhewellin*) *lib.* 2. *cap.* 11. ſays, *Si autem fiat mentio quod terra data ſit in maritagium cum uxore & eorum hæredibus, communes hæredes de corpore utriuſque admittantur, qui ſi defecerint, revertitur terra data, & alii remotiores excluduntur: quia res data eſt liberum tenementum uxoris, & non viri, cum non habeat* niſi cuſtodiam *cum uxore. Si autem ſic terra detur in Maritagium, viro cum uxore & eorum hæredibus, pro homagio & ſervitio viri (quod ſit aliquando) licet*

detur

letur in liberum maritagium, quæ ſunt ſibi ad invicem adverſantia ſive repugnantia, tunc prefertur homagium, & erit acſi fieret donatio tam viro quam uxori. And ſo alſo my Lord *Coke* on *Littleton, fol.* 21.*b.* tells us, *That if the King give Land to a man with a woman of his kindred in frank-marriage, and the woman dyeth without iſſue, the Man in the Kings caſe ſhall not hold it for his life, becauſe the woman was the cauſe of the gift, but otherwayes it is in the caſe of a common perſon*, and for this in the Margent he cites 9 *H.* 3. *Dower.* 202. So alſo Mr. *Glanvile* (who liv'd in the time of King *Henry* the Second, and before the time of the ſaid *Llewellin*) *lib.* 7. *cap.* 18. to the ſame purpoſe ſayes, *Cum quis itaque terram aliquam cum uxore ſua in maritagium ceperit, ſi ex eadem uxore ſua hæredem habuerit filium, vel filiam clamantem & auditum infra quatuor parietes ſi idem vir uxorem ſuam ſupervixerit, ſive vixerit hæres ſive non, illi in vita ſua remanet maritagium illud, poſt mortem vero ipſius ad donatorem vel ejus hæredes eſt reverſurum. Sin autem ex uxore ſua nunquam habuerit hæredem, tunc ſtatim poſt mortem uxoris ad donatorem vel hæredes ejus re-*

vertetur maritagium; ſo that it is clear that the lands which were given with the ſaid *Hellen* to the ſaid *John Scot* were given to the ſaid *Lhewellin* with a former wife, who was Kinſwoman to the ſaid King *John*, and Mother to the ſaid *Hellen*, for otherwiſe the ſaid Gift to *John Scot* could not be good; But if they were given to the ſaid *Lhewellin* with a wife who was Mother to the ſaid *Hellen*, but dead at the time of the gift to the ſaid *John Scot*, then the ſaid *Lhewellin* being Tenant by the Curteſie of *England*, and the inheritance being in the ſaid *Hellen* he might paſs away his Eſtate to the ſaid *John Scot* with the ſaid *Hellen*, and they might lawfully hold the ſaid Mannors *in libero maritagio*, according to the Agreement made betwixt the ſaid *Randle* Earl of *Cheſter* and *Lincolne*, and the ſaid *Lhewellin* Prince of *North-Wales*.

Laſtly, You erre a fifth time in ſaying, that *Joane* the wife of *Robert* de *Audeley* was the ſame *Joane* who was wife to the ſaid *Lhewellin*; For, that cannot poſſibly be, becauſe *Robert* de *Audeley* married *Joane* the baſe daughter of King *John* by *Agatha*, who might well be marriageable in the 14 year of King *Henry* the

the Third, which fell out to be in the years 1229. and 1230. But, I have before ſhewed that there is no poſſibility that the ſaid *Joane* daughter of *Agatha* could be wife to *Lhewellin* in the year 1204. nor any likelihood that ſhe then was born. And this miſtake of yours doth further appear, becauſe (as before is ſhewed) Prince *Lhewellin* was husband to the ſaid *Joane* in the year 1204. and (as you well know and confeſs) he dyed not till the 24th year of King *Henry* the 3d. How then can that *Ioane* who was wife to *Robert* de *Audeley* in the 14th year of King *H.* 3. be the ſame *Joane* who was wife to *Lhewellin*? unleſs ſhe had two husbands living at one time. Or, How can what your Author *Vincent* ſayes be true, *That ſhe was re-married to* Robert *de* Audley, 14 H. 3. *after the death of* Lhewellin, ſeeing the ſaid *Lhewellin* died not till the 24th year of *Henry* 3d? and did alſo outlive his wife *Joane* three yeares? Certainly, if *Vincent* had known as well as you, how long the ſaid *Lhewellin* lived, he would never have ſaid that *Joane* the wife of *Robert* de *Audley* was the ſame *Joane* who was wife of *Lhewellin*; But though you do acknow-

ledge that *Vincent* did erre in saying *Lhewellin* was dead, when *Joane* was married to *Robert* de *Audeley*, yet you would willingly justifie the other part of his error, in making *Audeleys* wife *Joane* to be the same woman with *Lhewellins* wife *Joane*, and to do this, you fancy that *Lhewellin* was divorced from his wife *Joane*, though there be no Author who doth alleadge any such thing. And, Can we think that a Prince of *North-Wales*, and a daughter of *King John* could be divorced, and one or both of them marry again in the life-time of each other, and no writer take notice thereof? Or, can it be, that *Mat. Paris*, who lived at that very time, should (in his 365. *Page*) speak of *William* de *Braus* his being taken in Adultery with the said *Joane*, with an (*ut dicebatur*) only? Or, the *Welch History* (*p.* 286.) with an (*as it was reported*) if the Adultery was so notorious, as that she was divorced for it? Indeed, you tell us out of *Knighton*, *col.* 2439. that *Anno Domini* 1228. 13 *H.* 3. Leolinus *Princeps Walliæ rebellare cepit*:——*Tandem vero post concursus varios, & discrimina multa, per quoddam maritagium cum Rege concorda-*

tu-

tus est, & in pace dimissus; and from these words, *per quoddam maritagium*, you would insinuate a *Divorce*, and a new Marriage of the said *Joane*, with *Robert* de *Audeley*, which divorce and marriage is further fetcht then any thing that I ever heard of in all my life; For, it is not likely that the puting away of the Kings Sister could be a means to procure Peace, and none knowes betwixt what parties the marriage there spoken of was; But you did well to break off at the words *in pace dimissus*, for if you had added these words of *Knighton*, which immediately follow the other, viz. *Anno Domini sequenti* (the Figures 1229. being also put in the margent) Lewelinus *eundem* Willielmum *de* Braus *Baronem nobilem quem ad festa Paschalia invitaverat, post epularum copiam super adulterio & violatione uxoris suæ accusans, & malitiose eum & hostiliter ingressus est, & eum in carcerem trudens morte turpissima & absque omni judicio sententialiter interemit.* It would from thence have appeared that neither the Divorce or second marriage of the said *Joane* could thereby be meant, unless you would have a Divorce in the year 1228, for an

Adultery not committed till the year 1229. And with *Knighton* agrees the ſaid *Mat. Maris, p.* 365. *n.* 10. (mentioned in the 5 *Page* of your *Addenda*) who ſaith, that William *de* Braus *was hanged for that ſuppoſed Adultery, in the moneth of April, in the year* 1230. And we well know, there is but one week betwixt the laſt day of the year 1229. and the firſt day of *April* 1230.

Alſo, in the 6 *Page* of your *Addenda*, where you tell us out of the *Welſh Hiſtory* put out by Doctor Powel, *that* Lewellin's *wife died in the year* 1237. if you would have added what is further ſaid in the ſame Page, it would have given ſatisfaction that *Lhewellins wife was never divorced*, For, *Page* 293. you may thus read, *The next Spring* (1237.) *died* Joane *daughter to King* John, *Princeſs of* Wales, *and was buried upon the Sea ſhore within the Iſle of* Angleſey *at* Lhanvaes *as her pleaſure was, where the Prince did build an houſe of barefoot-Friars over her grave.* Now certainly the *Welſh Hiſtory* would not then have called her *Princeſs of Wales*, nor her husband have built that houſe over her, if ſhe had been divorced

vorced from *Lhewellin*, and Married to the ſaid *Robert* de *Audeley*.

If any object, That though *Joane* the wife of *Lhewellin* was not the baſe daughter of King *John* by *Agatha*; yet it is like ſhe was his baſe daughter by ſome other woman, becauſe of thoſe Authors which you cite to that purpoſe; I anſwer, and ſay, that it is nothing to the caſe of *Auricia*, whether the ſaid *Joane* was a Baſtard or not, as I have before proved; But however it doth not yet certainly appear to me that ſhe was ſo; For, though *Vincent* upon *Brooke*, *Speed*, *Stow*, and the Monke of *Cheſter* who did write the *Poly-Chronicon*, and ſome others do ſay, that ſhe was a Baſtard, yet they are not much to be regarded, becauſe the ſaid Author of the *Poly-Chronicon*, (as *Voſſius* tells you in his Book *de Hiſtoricis Latinis*, *p.*487.) dyed in the year 1363. which was 159. years after *Lhewellin* married the ſaid *Joane*, and yet the ſaid Monke lived long before any other Author (which I have taken notice of) who doth call her a Baſtard. Let us therefore examine the matter a little; and in order thereto, let

us obſerve how many wives the ſaid King *Iohn* had.

Firſt, he married *Alais* daughter of the Earl of *Moriana* in the year 1173. as you may read in *Brompton's Chronicon*, *col.* 1082. *n.* 35. *Hoveden* (*Frankfurt* Edition, printed 1601.) *Page* 532. *n.* 5. *Matt. Paris* (put out by Doctor *Watts*) *Page* 127. *n.* 5. (which Editions of *Hoveden* and *Paris*, I do all along follow) and the like you may find in *Vincent* upon *Brooke*, *Page* 133. who alſo there tells you, that by *Moriana* is not meant *Moreton*, but *Savoy*, with which *Matt. Par. p.* 751. *n.* 46. doth alſo accord; But the ſaid *Alais* being then ſcarcely ſeven yeares of age, as you may ſee in *Matt. Paris*, *p.* 127. *n.* 6. and dying preſently after, the ſaid King *Iohn* could not poſſibly have any iſſue by that wife.

Soon after this, *viz.* in the year 1176. (as you may read in *Hoveden*, *p.* 553. *n.* 46. and *Matt. Paris*, *p.* 132. *n.* 29) there was an Agreement for a marriage to be had between the ſaid *Iohn* (then youngeſt ſon of the ſaid King *H.* 2.) and a daughter of *William* Earl of *Gloceſter*,

ſon

ſon of *Robert* Earl of *Gloceſter*, which ſaid daughter is not there named, but her name was *Hawiſia* or *Avis*, and the marriage afterwards took effect, but he was divorced from her in the year 1200, as will anon appear.

Thirdly, immediately upon his Divorce he married *Iſabel* daughter of the Earl of *Engoliſme*, who was his laſt wife; for, ſhe ſurvived him; and by her he had iſſue (as will be agreed by all) *Henry*, (afterwards King *Henry* the Third) *Richard*, Earl of *Cornwall*, (afterwards King of the *Romanes*) *Ioane* wife of *Alexander* the ſecond, King of *Scots*, *Eleanor*, firſt married to *William Marſhal* the younger, Earl of *Pembroke*, and afterwards to *Simon Mountford* Earl of *Leiceſter*, as alſo *Iſabel*, who was ſixth wife to *Frederick* the ſecond, Emperour of *Germany*.

But King *John* marrying the ſaid *Iſabel* in the year 1200. could have no child by her old enough to be married to the ſaid *Llewellin* in the year 1204.

Neither

Neither could *Ioane* the wife of *Alexander* King of *Scots* be the ſame *Ioane* who was wife to *Robert* de *Audeley*, for, ſhe was wife to the ſaid *Alexander* in the year 1221. as appears in your *Hiſt. Ant. p.* 60. and *Mat. Paris, p.* 313. *n.* 12. and died before her husband (ſay you) in the year 1236. and was buried at *London*; But, *Mat. Paris*, who lived in the ſame time with her (*p.* 468. *n.* 34.) tells you the very day of her death, and ſays ſhe died in the year 1238. in *England*, and was buried at *Tarente*. But you in your 60*p.* and *Mat. Paris, p.* 770. *n.* 39. do agree that the ſaid *Alexander* did ſurvive the ſaid *Ioane*, and that he died in the year 1249.

The only queſtion then will be, Whether *Lhewellins* wife was King *Iohns* legitimate daughter by his wife Hawiſia? which if ſhe was, then ſome of our Authors taking notice but of two daughters named *Ioane*, which the ſaid King had, did thereupon miſtake *Ioane* the wife of *Lhewellin*, for *Ioane* the wife of *Robert* de *Audeley*, and ſo did miſlead ſeveral of our later Authors into the like error.

Sure

Sure I am, that *Mat. Paris*, who was contemporary with the ſaid *Ioane*, *p.* 231. *n.* 52. calls her *the Kings daughter*, without the addition of Baſtard, or any thing tending thereto; His words are theſe, *Quo facto, venit alius Nuncius ex parte filiæ ejuſdem Regis uxoris videlicet* Leolini *Regis* Walliæ, *&c.* Alſo in the raign of King *H.* 3. her ſon *David* is by him (*p.* 537. 569. and in many other places) ſtiled *Nepos Regis*, and *p.* 695. called *Nepos Regis ex Sorore*, and *p.* 570. he is ſaid to be *propinquus Regi conſanguinitate.* Alſo *Knighton*, *col.* 2417. *n.* 42. thus ſays of her, *Rex Johannes dedit filiam ſuam Leolino Principi Walliæ in uxorem, & cum ea dedit caſtellum & totum territorium de* Elleſmere *in confinio* Walliæ. And the King himſelf in the aforeſaid *Record* gives her the title of *filiæ noſtræ.*

Alſo in *Lib. Barlings* (in which Book beſides what concernes the Abby of *Barlings* in *Lincolnſhire*, there are certain *Annals* (beginning *An.* 1050. and ending *An.* 1231.) ſhe is called the ſaid Kings

Kings daughter, without the Addition of Baſtard; For, as I am informed by a judicious perſon, who, at my requeſt did lately ſearch the ſaid Book in Sir *Iohn Cottons* Library, theſe words *Lewelinus diſponſavit filiam Regis* I. are the only words, *fol.* 22. *b.* which concern the ſaid matter: And yet you, in the 2d. *Page* of your *Addenda* do ſay, *That the ſaid* Joane Lib. Barlings, Fol. 22. *b. is acknowledged and called baſe daughter of K.* John. I hope therefore the Reader will take heed how farr he gives credit to what you ſay.

Neither have I as yet found any Author who lived in that Age with her, who hath ſaid that ſhe was a Baſtard; Indeed, our later Authors as *Vincent* and others, who ſay that ſhe was illegitimate, do many of them ſay, That King *Iohn* was divorced from his ſecond wife, as well for that ſhe was barren, as within the degrees of conſanguinity, which barrenneſs, if it could be made to appear, would certainly prove the ſaid *Ioane* to be a Baſtard; And, this opinion hath ſo far prevailed in this laſt age, that whereas learned Mr. *Cambden*, as you

you may ſee in his *Britannia* in Latine printed at *London* 1607. *p.* 259. ſpeaking of the Divorce of the ſaid *Hawiſia* (whoſe name he miſtakes and calls *Iſabel*) doth only uſe theſe words *illam repudiatam*, Doctor *Philemon Holland* in the Engliſh Tranſlation (unjuſtly) renders it thus, *That King* John *did repudiate her upon pretences, as well that ſhe was barren, as that they were within the prohibited degrees of conſanguinity.* But our antient Hiſtorians ſay nothing of her being Barren.

For this ſee *Hoveden* (who was living all the time that *Hawiſia* was wife to K. John) *p.* 803. *n.* 34. in the year 1200. *Eodem Anno factum eſt divortium inter* Johannem *regem Angliæ et* Hawiſam *uxorem ejus filiam* Willielmi *comitis* Glouceſtrriæ *per* Heliam Burdegalenſem *Archiepiſcopum*, *&* *per* Willielmum *Pictavenſem*, *&* *per* Henricum *Sanctonenſem epiſcopos: erant enim affines in tertio gradu conſanguinitatis. Facto itaq; Divortio inter* Johannem *regem Angliæ*, *&* *uxorem ſuam*, *ipſe Rex Angliæ conſilio domini ſui* Philippi *regis* Franciæ *duxit ſibi in uxorem* Iſabel

bel *filiam* Ailmari *comitis de* Engoliſmo, *&c.*

So alſo *Mat. Paris* (living in the time of the ſaid *Ioane*) *p.* 200. *n.* 23. in the ſaid year 1200. *Eodem tempore celebrato Divortio inter Regem* Anglorum *& uxorem ſuam* Hawiſam *comitis* Gloverniæ *filiam, eo quod affines erant in tertio gradu conſanguinitis. Duxit idem Rex, conſilio Regis* Francorum Iſabel *filiam comitis* Engoliſmi.

So alſo *Mat. Weſtminſter* in that Edition printed at *London*, 1570. *lib.* 2. *p.* 76. *n.* 25. *Anno gratiæ. M. CC. Rex* Johannes Iſabellam *filiam comitis* Engoliſmi *duxit in uxorem & Dominica proxima ante feſtum ſancti* Dyoniſii *conſecrata eſt in reginam ab* Huberto *Cantuarienſi* Archiepiſcopo, *quia celebratum fuit divortium inter ipſum &* Hawiſiam *comitis* Gloverniæ *filiam, eo quod contingebant ſe in tertio conſanguinitatis gradu.*

Now certainly theſe antient Authors muſt needs in this point be credited before thoſe that lived ſo long after them, and eſpecially ſince all thoſe that I have

met

met with who say she was barren, or do call her a Bastard, do not one of them know her true Christian-name, but are either silent therein, or else (which the most of them do) do call her *Isabel* instead of *Hawisia*.

See also the words of *Rad.* de *Diceto* (who lived in the time of the said King *Iohn*) *col.* 706. *n.* 5. which words are these, *Celebratum est divortium inter* Johannem *regem Angliæ & filiam comitis* Gloceſtriæ *in* Normannia, *ab episcopis* Lisorienſi, Baiocenſi, Abrincenſi *& aliis episcopis qui interfuerant, quam ipse tempore patris permissione* Romanæ *ecclesiæ duxerat in uxorem cum Comitatibus de* Gloceſtria, *de* Sumerſatum, *de* Devenesire, *de* Cornwaille, *et aliis quamplurimis per* Angliam *honoribus. Set ille sublimioris thori spe raptatus, consilio pravorum eam abegit, unde magnam summi Pontificis scilicet,* Innocentii tertii, *et totius curiæ* Romanæ *indignationem incurrit, præsumens temere contra leges et canones dissolvere quod eorum fuerat auctoritate colligatum.*

And

And now let any man judge, if ſhe had been barren, whether that would not have been alleadged as a cauſe of King *Iohns* putting her away, as well as his deſire of matching into a more ſublime family; So that I ſee no reaſon to conclude the ſaid *Ioane* to be a Baſtard, until it be proved that ſhe was ſo, by ſome Record, Deed, or good Author who lived in that Age, and eſpecially ſince the ſaid *Hawiſia*'s daughter (if ſhe had one) might very well be old enough in the year 1204. to be married to the ſaid *Lhewellin* Prince of *North-Wales*; But it is not material to the caſe in hand, whether the ſaid *Ioane* was a Baſtard or not, Becauſe all the Gifts you mention in your *Addenda*, were either not gifts *in free-marriage*, or elſe were not given to the ſaid *Lhewellin* with the ſaid *Ioane*.

As to what you ſay in your 7 *Page*, I did in my former Book give you ſeveral Reaſons, why the words of *Glanvil* did not prove what you ſuppoſed they did, and in the 38 and 39 *Pages* of my *Reply* did tell you how you had left them

them unanswered, and did also there inform you, that Mr. *Glanvil* did not say, That Lands might be given with any woman *in liberum maritagium*, but only *in maritagium*; and yet after all this, you have the confidence again to father upon Mr. *Glanvil* what he never either meant or said.

In your 8. *Page*, you say I have charged you with *many absolute untruths and gross absurdities, and in stead of modest and clear Answers to the very point or hinge of the controversie, did burst out into extravagant expressions in things upon the By, which gives you occasion to imagine that I think my cause declining.* But those, and several other of your expressions, seeming to proceed more from passion then reason; I shall at present pass them by, and do not doubt, but I shall be able to clear my self, from any thing which you have or can particularly charge me withal; And whereas you pretend that my confidence did arise, *because you are tied up by your Promise to write no more touching* Amicia. I will assure you I received no encouragement thereby, for I do not take you

to be so great a Bug-bear as you suppose your self to be; And if I had relyed upon your promise, I had been much mistaken, but I did very well know what you meant to do, for (besides what I heard from others) the same day my *Reply* was finished, you did write a Letter to me, wherein was your pretended new precedent of *Budeford* and *Suttehal*, and before any part of my last Book was printed, I received notice from your servant by your command, that *you would print some precedents as* Addenda *to your former Book*, but it seems that resolution, as also another, (as I was informed) of writing an *Answer* in a third persons name, were both laid aside, and what you did came out as *Addenda* to your later Book; But how, in so doing, you were just to your word, I cannot imagine, for, what you did write till the end of the 7. *Page*, did all concern *Amicia*; and, by the same reason you did write now, you may write alwayes, and say you do so *as Addenda only* to your said second Book.

In your 9 *Page* you again tell me, That I begin my *Reply with an untruth*, becaus

because I say, that those of our County who are understanding persons will easily discerne from some of your Omissions, that it was something else besides your great love to truth which occasioned you to Asperse your deceased Grandmother, and you tell me I might have done well to have shewed; To which I answer, that I will not reflect upon persons in print, but if any one desire privately to know what those Omissions were, if I cannot give full satisfaction of your gross partiality, let me bear the blame: And, I know no reason, since you pretended it was your great love to truth which did occasion you to Write against *Amicia*, but that I might in general termes let the World know it was something else which moved you so to do; and I will appeale to the Reader, whether I did not avoid all offensive expressions in what I said.

In your 10. *Page*, you are also overcaptious; For I having found in your *Historical Antiquities* two Deeds made by *Randle* de *Gernonijs* father to *Hugh Cyveliok*, (in the time of which *Hugh*,

Raph Mainwaring was Justice of *Chester*) and those two Deeds being directed *Justiciariis*, although I know of none who can tell the name of any more then one of them; I did therefore, lest there should be two Justices in the time of the said *Raph*, in my first Book call him *Chiefe Justice*, because he acted alone, but did withal in my second Book acknowledge, that I had not found that there was then any other Justice in the time of the said *Raph*, and for this, you tell me I should have been more ingenious, and do say, *I do very well know that there was no other Judge of* Chester *at that time*, which being a Negative, it is impossible for me to know; Also, as you may see in *Monasticon Anglicanum*, *Part* 3. *p.* 97 & 226. and in your *Hist. Ant. p.* 130. & 131. there was in the time of the said Earl *Hugh* sometimes two Justices of *Chester*, and sometimes but one; So that there possibly might be another Justice of *Chester* when the said *Raph* was Judge there. And whereas you give a glance at my vain-glory, by pretending *you are loath to say it was so*: I desire to know how could possibly be vain-glorious therein

since

since it was full as honourable for the said *Raph* to be *sole* Justice of *Chester*, as to be *Chiefe* Justice in case there were two.

In your 11 and 12 *Pages*, you deny that you said that *Geffrey Dutton* was witness to his own Deed or Deeds, but to the Deeds of others, and say, it was my gross mistake in saying so; But, if any persons read the 4 and 5 *Pages* of your *Answer* to my first Book, they may easily see that you apply the words *Domino Galfrido de Dutton* in that Deed of *Tabley* to that *Jeffrey* de *Dutton* who made the said Deed, and they will also find you saying, *That in several other Deeds of the same person* (meaning still the same *Geffrey*) *you dare affirm among the* witnesses subscribed *he hath five times and more the word* Dominus *omitted, for once that we find it prefixed to his name.* Let the Readers therefore (if they can) find out, how you could imagine his name to be at any time amongst his own Witnesses, if you did not take him to be a Witness to his own Deeds.

You also in the same *Pages* of your *Addenda* say, *That if he had been a Knight he would have called himself by his Title*, *Ego* Galfridus *de* Dutton *Miles*; or, *Ego Dominus* Galfridus *de* Dutton *dedi*, &c. But, this is directly contrary to what you did write at the bottom of the 5. *Page* of your second Book; and it is well known, that in very antient times, every one who was a Knight, did not alwayes give himself the Title of *Miles* or *Dominus* in his own Deeds, neither had he alwayes the same Title given to him by others, which, if occasion required, I could make to appear.

You also tell me, that when I say *That Dominus* Galfridus *de* Dutton *witness to the other* Geffrey Duttons *Deed of* Nether-Tabley *was his Father*, it was my grose mistake, *For it was* Geffrey Dutton *of* Chedle. And you also say, that there were four Geffrey Duttons, two of Budworth, Father and Son, and two of Chedle Father and Son, much contemporary; and for the proving of those two of *Budworth* (those of *Chedle* being not there named) you send me to your

your Book of *Antiquities*, *Page* 226. *there to be informed of what* (you say) *you see I do not know*. But, if I did not know of those two *Geffrey Duttons*, how could I tell you in the 10. *Page* of my *Reply* that *Adam* de *Dutton* had issue Sir *Jeffrey*, who had issue *Geffrey* who made the said Deed of *Tabley*? or, How could I say that *Geffrey* the Father was a Witness to that Deed? and, How doth it yet appear that the *Dominus* Galfridus *de* Dutton, who was Witness to the said Deed of *Tabley* was *Geffrey Dutton* of *Chedle*, and not the other Sir *Geffrey Dutton* of *Budworth*? For, though the year 1238. be the last time you say you met with him, yet, as appears in your *Hist. Antiq.* p. 216. you have not seen the Deeds of Sir *George Warburton*, who is his heir-male; therefore the said *Geffrey* might very well live on to be a Witness to that Deed. But, whether the said Sir *Geffrey* of *Budworth* the Father was then living or not, one of the *Geffrey Duttons* of *Chedle* was also a Knight, as appears in your *Hist. Ant.* p. 206. (though you conceal it in your *Addenda* because you would have the Reader to believe there was no Sir *Geffrey Dutton*

living when that Deed of *Tabley* was made) which will as well serve my turn; for, if Sir *Geffrey* of *Budworth* was then dead, then the *Domino Galfrido de Dutton* is in that Deed to be applied to Sir *Geffrey Dutton* of *Chedle*; And whilst they were both living, whensoever you find *Domino Galfrido de Dutton* among the witnesses, it is certainly to be applied to one of the Knights, and when you find *Galfrido* without *Domino*, it is as certainly meant of some *Geffry Dutton* that was no Knight.

And whereas you object, *p.* 13. *That Sir* Geffrey Dutton *of* Budworth *must needs be dead, or else* Geffrey *the Son could not have passed away those Lands.* That doth not follow, for I have known more then once, not only Sons in the life-times of their Fathers, but also Grandchildren, who have been possessed of Lands in their grandfathers times; And whereas you say that *Margaret* was daughter, but not Daughter and *heir* of *Geffrey Dutton*; I cannot tell how that will appear without the sight of Sir *George Warburtons* Deeds; Because Sir *Peter Dutton* might be son to a *Geffrey Dutton*, and yet be Brother

Brother and heir-mal to *Geffrey* the Father of *Margaret*. But be it how it will, ſhe having the Mannors of *Nether-Tabley*, *Wethale*, and *Hield*, it can be no groſs one, if it be any miſtake at all.

In your 14 *Page*, you would willingly heal an expreſſion in your former Book, by confeſſing it was too ſhort; but, to make amends for this, you now overdoe it; and becauſe you would make us believe that you formely meant as you now pretend, you ſay, that a little after, you did ſpeak of Knights who uſually ſtiled themſelves thus—*Ego Dominus* A. B. *dedi*, &c. or, *Ego Dominus* A. B. *Miles dedi*, &c. But, whoever can find thoſe words in your *Anſwer*, can find out that which I am not able to do.

In your 16, 17 and 18 *Pages*, you keep a great ſtir about the word *domino*, when it is prefixed to any names in ſubſcriptions, and though you were willing in your laſt Book to call Sir *Raph Mainwaring*, Sir *Roger Mainwaring*, Sir *Thomas Mainwaring*, and Sir *William Mainwaring*, all of them Knights, yet now you are

diſſatisfied

diſſatisfied concerning all but Sir *Thomas Mainwaring*, to whoſe name in a Fine you find the word *Milite* added, and you would willingly inſinuate that the *Dominus Willielmus Mainwaring* was he who was Parſon of *Wernith*, (though without any cauſe as appears by the Deed wherein he is named.) And you ask me, whether I have any Deed of *Raph Mainwaring* Judge of *Cheſter*, with the word *Milite* added, which you well know that I have not, it being much, that I have thoſe Deeds of his which I have, being he was Judge of *Cheſter* ſo long ſince, *viz.* in the time of *Richard* the Firſt; But, I pray you, Why is not the word *domino*, when prefixed to the name of a Witneſs who was not a Clergy-man, good proof that he was a Knight? (eſpecially ſince ſome who are likely to be the moſt skilful in thoſe matters, are of opinion that it is.) And why, if it be not good proof, were you lately more complemental then you are now, and did break your old Rule of *Amicus Socrates, Amicus Plato*, &c. in calling *Raph, Roger*, and *William Mainwaring* Knights? Or, Why do not you prove the word *domino* prefixed to ſome perſons name, before

before he was made a Knight? Or, to one who was no Clergy-man, and but an Esquire, at the time of his death? Or, Why doth not the word *domino* prefixed to each of the names of the aforesaid *Raph*, *Roger*, and *William Mainwaring* prove them to be Knights, as well as it doth prove one of the *Geffrey Duttons* of *Budworth*, and one of the *Geffrey Duttons* of *Chedle* to be Knights? For, you confess, *Page* 13. of your *Addenda*, that you do not remember any of them writing *Ego Dominus* Galfridus Dutton, *dedi*, &c. And, Why did not you answer the Question which I asked of you in the 16. *Page* of my *Reply*? viz. *If the word* Dominus *do only signifie* Master, (*as you would have it*) *What is the reason, that in some Deeds it is only put before the names of some of the witnesses, and not before the names of others? although those other persons to whose names it is not put, many times are Lords of several Manners, and persons of very great Estate.* And, What is the reason that you do not call all the four *Geffrey Duttons* Knights, as well as two of them? seeing in the 13 *p.* you say, *You have* (*if you mistake not*) *seen them all sometimes subscribed with* Domino *prefixed*,

prefixed, but not *any of them writing himself*, Ego Dominus, *&c.* Or, How comes it to pass, that neither of the two Knights did ever write so, if what you say in your 11th *Page* be true? Sure the *Reader* will easily perceive, what strange work you yet make with these *Geffreys* and their *Deeds*.

In your 18th *Page* you also say, *That I fasten upon you anot her untruth, where I tell you, that you have seen the opinion of a Judge under his hand, with Reasons for the same touching* Amicia. But, whether this be an untruth or not, let what you formerly sent me under your own hand determine, where you name the Judge, and also take notice that his reasons were given under his hand; Let me therefore advise you for the future to be more cautious what you write. And whereas you also say, *That your memory is not so bad, but you could remember something of it or his name*; Let the Reader look in your *Hist. Ant. p.* 135. *l.* 3. *and p.* 136. *l.* 43. or see your words in the 5 *p. l.* 15. *and* 12. *p. l.* 5. printed with my *Defence* of *Amicia*, and he will there find that you did know the Reasons of the said Judge.

And

And whereas you pretend, *It was impossible for you to have alleadged to the two Heralds, the tenth part of what you could have done in so short a space*; I shall leave that to them, they being both yet living, as also whether they have found any thing in your former Books concerning *Amicia*, which they have not heard from you before. And as for your Lawyer of very good note, and good *Antiquary*, you do well in concealing his Name, But certainly he was very unkind that would not furnish you with some Precedents to make good what he said.

What you say in the 20th *Page*, and so on to the middle of the 23 *Page*, shews clearly, that you are resolved not to be convinced. For, when at the first I proved out of *Monast. Angl. Part* 2. *p.* 267. that *Richard Bacun's* Mother could not be *Hugh Cyveliok's* daughter, because it was *Randle* de *Gernoniis*, not *Randle Blundevil*, whom the said *Richard* called Uncle, in regard there was a *William* Archbishop of *York*, and one whose Name began with an *R*, which was then

Bishop

Biſhop of *Cheſter*, both living in the time of the ſaid *Randle* de *Gernoniis*: but that there was no *William* Archbiſhop of *York*, during all the time of *Randle Blundevil*, nor any man Biſhop of *Cheſter* whoſe name began with *R*, after the ſaid *Randle Blundevil* could be old enough to ſeal a Deed, as alſo, becauſe *Eaeuns* witneſſes were contemporary with *Randle* de *Gernoniis*; You in the 54 and 55 *Pages* of your *Anſwer*, do not only ſay that you conceive the *Roll* from whence the Deed in *Monaſticon* was written is miſtaken in *Will.* and *R.* (which was a ſtrange Anſwer) but you alſo ſay, *There was no ſuch Archbiſhop of* York *called* William, *nor Biſhop of* Cheſter *whoſe Chriſtian name began with R. both living at one time, either in the time of* Randle Blundevil *or* Randle *de* Gernoniis *that you can find.* But when you perceived that I had clearly proved by ſeveral Authors, that a *William* was Archbiſhop of *York*, and that *Roger Clinton* was Biſhop of *Cheſter* in the time of *Randle* de *Gernoniis*, ſo that you could no longer deny the ſame; You now in your *Addenda* would willingly avoid the Argument, becauſe the ſaid *William*

upon

upon his first Election had not the *Pall*, which all that know any thing will easily perceive to be a very weak Answer; For he was consecrated Archbishop, and had possession of the Archbishoprick till after the deaths of Pope *Innocent* the Second, Pope *Celestine* the Second, and Pope *Lucius* the Second; And if he was reputed Archbishop, he would be called so, as well in Deeds as otherwayes: And it is no wonder, since he was looked upon by many to be the right Archbishop, and to be wrongfully suspended by Pope *Eugenius*, (as you may see in my *Reply*, *Page* 77. and so on to the 87. *Page*) if some persons do name him according to the time of Election, and others according to the time of his Restauration, which doth reconcile those different placings which you mention in your 22 *p.*

And whereas you again object, That *Chester* was then within the Province of *Canterbury*, not *York*; I answered that in my last Book, where I told you that the Archbishop was not named upon that accompt, but because some of the places mentioned in the said Deed were within

within the Province and Diocese of *York*, as particularly *Rosington* was, it being within the Westriding of *Yorkshire*. And if that Deed was not directed to an Archbishop of *York*, How came the word *Eboracensi* there? But if you had foreseen I would have asked you this question, I doubt not but you would have said, *That the word* Eboracensi *was miswrit*, as well as the word *Will*, and the letter *R*.

In your 23, 24, and 25 *Pages*, you are disingenious, and do not recite my Argument aright; For you pretend it only to lie in this, That *Hugh Wac* and *Richard Pincerna* (two of the Witnesses to *Bacuns* Deeds) were also Witnesses to a Deed made *Anno* 1152. which falls in the latter end of the life of *Randle de Gernoniis*, whereas whoever will read the 88 and 89 *Pages* of my *Reply*, will find that I named five Witnesses of *Richard Bacuns*, viz. *Hugh Wac*, *Richard Pincerna*, *William Colevile*, *Thurstan Benaster*, and *William* the Chaplain, and also did instance in five Deeds to which *Randle de Gernoniis* was a party, to each of which, one, two, or three of the said

said *Bacuns* said witnesses were also witnesses; and if you please you may also find a sixth Deed in *Monast. Angl. Part* 1. *p.*987. *b.* and a seventh Deed in *Monast. Angl. Part* 2. *p.*260. *b.*

That which you did alleadg concerning two Deeds made at a great distance, is nothing like this Case; Neither is there any weight in *William Bacun's* being a witness to a single Deed of *Randle Blundevils*, for, he might be a young Man when he was witness to *Richard Bacuns* Deed, and living to be old might be a witness to one of *Randle Blundevils* Deeds, But it is probable he was Son, Grandson, or other Kinsman of the other *William Bacun*; But, you deal a little fallaciously with your Reader, when you say it was but Twenty nine years betwixt the death of *Randle* de *Gernonis*, and the time that *Randle Blundevil* was Earl; For, though that be true, yet it would be a longer time before *Randle Blundevil* could be old enough to seal a Deed, for his Mother was but Twenty four years old when he came to be Earl.

VVhat you object, p 26 and 27, concerning the deed of VVarranty of *Randle* de *Gernoniis*, or concerning *Richard Bacuns* being contemporary with *Randle Blundevil*, is sufficiently answered; For, VVhy might not the said Deed of Warranty be lost, as well as many thousands of other Deeds are? And that *Richard Bacun* was contemporary with *Randle* de *Gernoniis*, I have abundantly proved. And though in your 27 *Page*, you would have *Bacuns* Mother to be *Hugh Cyvelioks* daughter, yet in the 25 *Page* you confess, that *it is probable she was a Bastard of* Randle *de* Meschines, but finding that to contradict what you afterwards said, you have since the Printing thereof blotted it out of those Books which you have disposed of in these parts; And, although I do not see but that *Bacuns* Mother might be a lawful daughter of the said *Randle* de *Meschines*, yet I will not further engage in her defence, but pass by that, and the course language which you repeat at the latter end of your Book.

I have now done with your *Addenda* but since you have so abounded in that particular, I hope you will give me leave to add a word or two to what I have formerly said.

I have heretofore proved that the aforesaid *Bertred* was but Twenty four years of age in the year 1181, when her Husband died, by which it appears, that she was born in the year 1157. I do also find in the Third Part of Mr. *Dugdales Monasticon Anglicanum*, p. 226. that *Hugh Cyveliok* and his Mother *Maude* did give *Stivinghale*, with a Mill next the Park, and some other Grounds, to *Walter Durdent* Bishop of *Chester* and his successors, to which Deed *Eustace* the Constable was witness; Now the said Earl *Hugh* being not in a capacity to seal a Deed until he was One and twenty years of age, and the said *Eustace* being slain (as appears by your *Hist. Ant.* p. 266.) in a Battel against the *Welsh* in the said year 1157. If the said Deed was made immediately before the said *Eustace* was slain, the said *Hugh* must needs be at the least One and twenty years older

der then his Wife *Bertred*; But, it is very likely that Deed was made some years before, *viz.* immediately upon the death of *Randle* de *Gernoniis*, For the said *Randle* died Excommunicate, and *Stivinghale* and those other Lands were given for his Absolution, and the health of his Soul.

But, besides what is here proved, if you look at the latter end of the *Welsh History* put out by Dr. *Powel* 1584, immediately before the Table, you will see that the 16 line of the 197 page of the said *Welsh History* is misprinted, and that in the said Page it should have been Printed thus: About the same time Hugh son to the Earl of Chester, fortified his Castell of Cymaron, and won Melienyth to himself. And you may also there find, that the time when the said *Hugh* won *Melienith* was in the year 1142.

Now that this *Welsh History* is of good credit, I hope you will not deny; For, in the 44 *Page* of your *Historical Antiquities*, you acknowledge, that in these *Welsh* mat-

matters you chiefly follow the same; And Dr. *Powel* in his Epistle, as also in his Notes on the said History, *p.* 206. tells us, That *Caradocus Lhancarnan* is reputed and taken of all learned men to be the Author of what is therein written, until the year 1156. And as you may find in *Vossius* his Book, *de Historicis Latinis*, p. 389. and in *Isaacksons Chronologie*, p. 323. the said *Caradocus* was living when the said *Hugh* wan *Melienith*.

The only Question therefore is, Of what age the said *Hugh* then was? And because that is uncertain, and that I am willing to reckon so, as may be most advantageous to you, I will suppose him to be then but Twelve years old, which is the same age that *Silvester Giraldus*, *p.* 203. sayes Prince *Lhewellin ap Jorweth* was of, when he began to infest his Unckles, and is indeed as young, as I have observed any to appear in such Martial Affaires. Now, if we should believe that *Hugh Cyveliok* did Marry the said *Bertred* so soon as she was fourteen years of age, then the said Marriage

age would happen in the year 1171. at which time, if *Hugh Cyvelioke* was born in the year 1130, and was but 12 years old when he was *Melicenith*, in the year 1142, yet he would be 41 years of Age when he Married the ſaid *Berſted*. It cannot therefore be imagined, that ſo great a perſon ſhould continue unmarryed till he was above Fourty yeares old, or that he ſhould Marry to his firſt Wife, one ſo much different from him in yeares; But, when he had Marryed a former Wife, who dyed leaving him only a daughter or daughters, it is no wonder if in his age, he Marryed a young Lady, to the intent he might have Iſſue-male to ſucceed him in ſo great an Eſtate; I hope therefore, though you told me in the 49 *Page* of your *Reply*, *That you can gather no ſuch quantity of yeares* in reſpect of *Hugh Cyvelioks* age, *reaſonably to ſuppoſe him to have had a former Wife*, that theſe prooſes will ſhew, that there were very many years betwixt them, and that thereupon you will be ſo reaſonable as to believe he had a Wife before he Marryed

ryed *Bertred*; And, if he had a former Wife, there would be no cauſe to ſuſpect *Amicia* to be illegitimate, if your pretended Precedents had been ſuch as you did untruly ſuppoſe them to be; with which I will conclude what I have now to ſay, when I have ſubſcribed my ſelf

Your Affectionate Coſin

and Servant,

Baddeley,
Feb. 13.
$167\frac{3}{4}$.

Thomas Mainwaring.